

REMARKS/ARGUMENTS

The Applicant wishes to express his appreciation to the Examiner for his time in the January 3, 2005 telephone interview. The above amendments to the claims and the following remarks are in accordance with the material discussed in the telephone interview.

In the Office Action, the drawings were objected to because the drawings do not show a toe truck bed as recited in the claims. In response, corrected drawing(s) showing the toe bed truck will be later submitted to overcome the objection.

In the Office Action, claims 46, 47, and 54 were objected because of informalities. In response, claims 46 and 47 have been cancelled. In claims 54, the repeated limitation has been deleted. In addition, claim 4 was rejected under 35 U.S.C. § 112, second paragraph, for typographical errors. In response, claim 4 has been amended to correct typographical errors as pointed out by the Examiner. Accordingly, the Applicant respectfully submits that the objection to claims 46, 47, and 54, and the rejection of claim 4 be withdrawn.

Claims 1, 4, 48-51, 54, and 56 have been rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 3,912,139 by Bowman ("Bowman") in view of U.S. 5,462,398 by Hymer ("Hymer"), U.S. Patent No. 4,696,484 by Casey ("Casey") and U.S. Patent No. 3,822,798 by Neff ("Neff"). The Applicant respectfully traverses the above rejection for the reasons set forth below.

In reference to Figure 22 of the present application, claim 1 recites, in part, "a pair of cradle bars (80, 82) releasably coupled to the first front (84) and first rear (90) chocks wherein the first (13) and second (14) wheels are positioned between the pair of cradle bars (80, 82); and a dolly (33) adapted to couple to a first end of each of the cradle bars (80, 82) extending from the first front chock." *Reference numerals added.* The pair of cradle bars and the first front and first rear chocks are separate elements so that the apparatus assembly may be assembled around a cycle even if the cycle is immobile. Once the apparatus assembly is assembled around the cycle, the cycle may be moved.

Bowman discloses a carrier having a U-shaped member 12 or 14 for supporting the front and rear wheels of the cycle. See column 2, line 21-24. The U-shaped member 12 is one piece member having a base and two sides to support the front and rear wheels of the cycle. To

transport a motorcycle, the front and rear wheels of the motorcycle must be pushed or maneuvered into the U-shape member. As such, Bowman does not teach or suggest “a pair of cradle bars” that are two separate elements, as recited in claim 1 in the instant application.

In the Office Action, Casey is also cited for the proposition that it teaches a dolly adapted to couple to a first end of each of the cradle bars 24 and 26. The cross members 24 and 26 disclosed in Casey are designed to support front and back sides of two front tires of an automobile. See Figures 1 and 2 of Casey. The cross members 24 and 26 are between two side rails 12 and 14. The first dolly is then attached to one end of the cross members 24 and 26, and a second dolly is attached to the other end of the cross members 24 and 26, to lift the automobile. In other words, the two dollies are at the opposite sides of the automobile, rather than at the front or back of the automobile.

In contrast to Casey, claim 1 of the present application recites, in part, “a dolly (33) adapted to couple to a first end of each of the cradle bars (80, 82) extending from the first front chock.” With the first and second wheels of a cycle between the two cradle bars, coupling the dolly at the end of each of the cradle bars would place the dolly in the front or back of the cycle rather than at one of its sides. As such, Casey does not teach or suggest claim 1 of the present application. In particular, dependent claim 56, which depends from claim 1, recites that “the dolly is on the front side of the first wheel when the dolly is coupled to the first end of each of the cradle bars.” Accordingly, the Applicant respectfully submits that the cited references either alone or in combination do not teach or suggest independent claim 1 and its dependent claims.

With regard to withdrawn claims 2, 3, 5-17, and 19-21, the Applicant respectfully submits that these claims should be reinstated because all of these claims to species depend from or otherwise include each of the limitations of an allowable generic claim 1. As such, the restriction requirements as to dependent claims 2, 3, 5-17, and 10-21 should be withdrawn and are allowable over the cited references.

With regard to independent claim 48, none of the cited references teach or suggest coupling the first dolly to the first and second cradle bars in **front** of the first wheel; and coupling the second dolly to the first and second cradle bars so that it is in **back** of the second wheel. Accordingly, the Applicant respectfully submits that claim 48 and its dependent claims are allowable over the cited references. With regard to claims 54 and 55, they are allowable for reasons similar to those discussed in reference to claim 1.

In view of the foregoing, it is respectfully submitted that the claims in the application patentably distinguish over the cited and applied references and are in condition for allowance. Reexamination and reconsideration of the application, as amended, are respectfully requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is respectfully requested to call Applicant's undersigned representative at (213) 624-2500 to discuss the steps necessary for placing the application in condition for allowance.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1853. Should such additional fees be associated with an extension of time, applicant respectfully requests that this paper be considered a petition therefore.

Respectfully submitted,



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